

USPTO Customer No. 25280

Case # 5415

RESPONSE

Claim Objections

Claim 1 was objected to because of certain informalities. Claim 1 has been cancelled, thereby rendering this objection moot.

Rejection of Claims 1 and 24 under 35 USC 112, 1st Paragraph

Claims 1 and 24 are rejected under 35 USC 112, 1st paragraph, because the specification, while being enabling for providing a non-woven fabric comprising elementary filaments derived from conjugate filaments does not reasonably provide enablement for a fabric comprising continuous conjugate filaments, wherein after subjected to a treatment, further comprises a first filament material and a second filament material comprising a filament skeleton that has been partially reconfigured. Claim 1 has been cancelled, and Claim 24 has been amended to clarify the intended scope of Applicants' disclosure. Applicants believe these amendments to be sufficient to overcome the rejection and request that it be withdrawn.

Rejection of Claims 1 - 10 under 35 USC 112, 2nd Paragraph

Claim 1 is rejected under 35 USC 112, 2nd paragraph, as being indefinite for failing to point out and distinctly claim the subject matter that Applicants regard as their invention. Claims 2 - 10 are further rejected for their dependency on Claim 1. Claims 1 - 10 have been cancelled, thereby rendering this objection moot.

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Rejection of Claims 1 - 16 under 35 USC 102(b)

Claims 1 - 16 are rejected under 35 USC 102(b) as being anticipated by Groten et al. (US Patent 5,899,785). Claims 1 - 16 have been cancelled, thereby rendering this objection moot.

Rejection of Claims 17 - 23 under 35 USC 102(b) or 35 USC 103(a)

Claims 17 - 23 are rejected under 35 USC 102(b) as anticipated by or, in the alternative, under 35 USC 103(a) as obvious over Groten et al. (US Patent 5,899,785). The patent issued to Groten et al. teaches a non-woven fabric comprising very fine continuous filaments of separable composite filaments. The composite filaments forming the elementary filaments may comprise a polyester / polyamide combinations such as polyethylene terephthalate (PET) and polyamide 8.

The Examiner contends that although Groten et al. fail to explicitly state the absorption capacity of the non-woven fabric, it is reasonable to presume that the absorption property is inherent to the invention of Groten et al. Support for the Examiner's presumption is found in the use of like materials and the use of like processes, such as separating composite filaments into elementary filaments, which would result in the claimed absorption property.

In addition, the Examiner argues, the presently claimed absorption properties would obviously have been present once the Groten et al. product was provided.

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Applicants respectfully draw the attention of the Office to TABLE 1 found on page 11 of the specification. In TABLE 1, one finds a comparison among a fabric untreated by Applicants' process and several fabrics treated under different conditions (acid concentration, base concentration, and exposure time) of Applicants' process. The first line of data in the TABLE indicates the absorbency of the untreated fabric as being 3.52 ml/g. By comparison, the fabrics subjected to acidic and basic treatment conditions exhibit an absorbency that ranges from 4.30 ml/g to 7.03 ml/g.

Applicants submit that this TABLE corroborates their assertion that the present process creates an improvement over the fabric described by Groten et al. in the '785 patent. Furthermore, Groten et al. do not teach all of the limitations of Applicants' claims—that is, a fabric having an absorbency of at least 5.5 ml/g—nor do they suggest how such a fabric may be created.

Finally, the Examiner rejected the use of the term "separable." Such term has been removed to clarify the intended scope of the invention.

For these reasons, Applicant submits that the rejection has been traversed and should be withdrawn.

Rejection of Claims 24 – 31 under 35 USC 102(b) or 35 USC 103(a)

Claims 17 – 23 are rejected under 35 USC 102(b) as anticipated by or, in the alternative, under 35 USC 103(a) as obvious over Park et al. (US Patent 4,460,649). The patent issued to Park et al. teaches a conjugate fiber comprising polyamide and polyester having an island-in-sea configuration. Park et al. teach separating the outer components

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from the inner components by treating the fabric with acid and alkali chemicals. The resulting microfibers are suitable for weaving or knitting into a fabric.

The Examiner contends that although Park et al. fail to explicitly state the enhanced hydrophilic characteristics, it is reasonable to presume that the absorption property is inherent to the invention of Park et al. Support for the Examiner's presumption is found in the use of like materials and the use of like processes, such as treatment with acid and base chemicals, which would result in the claimed absorption property.

In addition, the Examiner argues, the presently claimed absorption properties would obviously have been present once the Park et al. product was provided.

Because the Park et al. patent does not teach all the limitations of Applicants' claims—that is, the specification of a nonwoven fabric that includes polyester having hydrolyzed ester groups and polyamide having an eroded filament structure—Applicants believe the rejection to be improper and request that it be removed.

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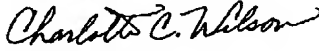
CONCLUSION

Having now amended the claims to clarify the intended scope thereof, Applicants believe they have overcome the rejections of the Examiner. Accordingly, Applicants respectfully submit that this case is in condition for allowance and courteously solicit the issuance of a Formal Notice of Allowance.

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Respectfully submitted,



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